IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WP(C).No. 18353 of 2007(S)

PETITIONER:

SMT.ALEYAMMA, AGED 65, W/O.JACOB
& MOTHER OF JICKU JACOB, VETTUKATTIL HOUSE,
NETTITHOZHU P.O., ANAKKARA VILLAGE, IDUKKI
DISTRICT. REP. BY POWER OF ATTORNEY OF
HER SON SRI.JICKU JACOB, DO. DO..

BY ADV. SMT.P.V.KOCHUTHRESIA

RESPONDENTS:
---

1. BIJI GEORGE, D/O.K.M.GEORGE,
MUTHANATTU HOUSE, THANKAMONI P.O.,
THANKAMONI VILLAGE, IDUKKI DISTRICT.

2. K.M.GEORGE, MUTHANATTU HOUSE,
THANKAMONI P.O., DO.....DO.....

3. LEELAMMA GEORGE, W/O.K.M.GEORGE,
DO...DO....

BY ADV. SRI.K.R.SUNIL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.18353 OF 20073

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF MEDICAL CERTIFICATE DT. 5.6.07.

EXT.P2: TRUE COPY OF MEDICAL CERTIFICATE DT.9.6.07.

EXT.P3: TRUE COPY OF APPLICATION DT. 7.6.07.

EXT.P4: TRUE COPY OF PETITION DT. 29.11.06.

// TRUE COPY //

TKS

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

W.P.(C).No.18353 OF 2007

Dated 27th June, 2007

JUDGMENT

Koshy,J.

Petitioner's son married the first respondent and a child was born in the said wedlock. Their relationship became strained. Petitioner's son filed O.P.No.353/06 before the Family Court, Ernakulam for getting custody of the minor child which was later returned for presentation in Family Court, Thodupuzha. First respondent filed O.P.No.118/06 for divorce and she and the third respondent filed O.P.No.119/06 for custody and guardianship of the child. Now, the petition filed by the son of the petitioner is numbered as O.P.No.269 of 2006 before the Family Court, Thodupuzha. The main contention of the petitioner is that her son met with an accident and he was unable to move. Exts.P1 and P2 medical certificates were produced. Since he is not well, he wants more time to go to the court and adduce evidence. As per the medical certificate, he was advised rest for three weeks from 5.6.2007. That expires today. Petitioner's son as well as other parties were present before this court. It is also stated that petitioner's son filed Ext.P4 petition before the Family Court. Since now the petitioner's son can attend the court, he can pursue remedies before the Family Court

according to law. It is for the Family Court to pass orders on Ext.P4 petition after hearing objections.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

tks